National Labor Relations Board



Weekly Summary of NLRB Cases

Division of Information	Washington, D.C. 20570	Tel. (202) 273-1991
July 25, 2008 W-		W-3166
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Magic Beans, LLC (1-RC-22148; 352 NLRB No. 107) Brighton, MA July 18, 2008. The Board reversed the hearing officer's findings and found that the Employer's objection, effectively a post-election challenge, to Robert Collum's eligibility was not properly before the Board under the standard set forth in NLRB v. A.J. Tower Co., 329 U.S. 324, 333 (1946). The Board found that the Petitioner (Teamsters Local 25) was not on notice, prior to the election, that Collum may have been ineligible to vote. Therefore, the Board overruled the Employer's objection and issued the appropriate certification of representative. [HTML] [PDF]

(Chairman Schaumber and Member Liebman participated.)

LIST OF DECISIONS OF ADMINISTRATIVE LAW JUDGES

Howard Orloff Imports, Inc. (Auto Workers Local 701) Chicago, IL July 14, 2008. 13-CA-44188, 44377; JD-34-08, Judge Ira Sandron.

Indiana Bell Telephone Co., Inc. a wholly owned subsidiary of AT&T Teleholdings, Inc. (Communications Workers Local 4900) Indianapolis, IN July 15, 2008. 25-CA-30527; JD(ATL)-27-08, Judge George Carson II.

Carson Trailer, Inc. (Sheet Metal Workers Local 170) Gardena, CA July 16, 2008. 21-CA-37999, 38141; JD(SF)-28-08, Judge William G. Kocol.

A & C Healthcare Services, Inc. (Service Employees, United Healthcare Workers West) Millbrae, CA July 18, 2008. 20-CA-33588, 33780; JD(SF)-27-08, Judge Gerald A. Wacknov.

Aramark Services, Inc. (UNITE HERE Local 100) Long Island City, NY July 18, 2008. 29-CA-28625; JD(NY)-24-08, Judge Howard Edelman.

Blue Man Vegas, LLC (Stage Employees Local 720) Las Vegas, NV July 18, 2008. 28-CA-21126, et al.; JD(SF)-29-08, Judge Lana H. Parke.

Trump Marina Associates LLC d/b/a Trump Marina Hotel Casino (Auto Workers) Atlantic City, NJ July 18, 2008. 4-CA-35334, 35395, 4-RC-21278; JD-36-08, Judge Earl E. Shamwell Jr.

The Washington Post (Washington-Baltimore Newspaper Guild Local 32035) Washington, DC July 18, 2008. 5-CA-33037, 33503; JD-38-08, Judge Richard A. Scully.

TEST OF CERTIFICATION

(In the following case, the Board granted the General Counsel's motion for summary judgment on the grounds that the Respondent has not raised any representation issue that is litigable in the unfair labor practice proceeding.)

Snell Island SNF LLC d/b/a Shore Acres Rehabilitation and Nursing Center, LLC and HGOP, LLC d/b/a Cambridge Quality Care, LLC, Joint Employers (Food Commercial Workers Local 1625) (12-CA-25854; 352 NLRB No. 106) St. Petersburg, FL July 18, 2008.

LIST OF UNPUBLISHED BOARD DECISIONS AND ORDERS IN REPRESENTATION CASES

(In the following cases, the Board considered exceptions to Reports of Regional Directors or Hearing Officers)

DECISION AND CERTIFICATION OF REPRESENTATIVE

Allstate Power VAC, Inc., Brooklyn, NY, 29-RC-11505, July 16, 2008 (Chairman Schaumber and Member Liebman)

Genesis Eldercare Centers – Chapel Manor, Inc. d/b/a Chapel Manor, Philadelphia, PA, 4-RC-21340, July 18, 2008 (Chairman Schaumber and Member Liebman)

(In the following cases, the Board adopted Reports of Regional Directors or Hearing Officers in the absence of exceptions)

DECISION AND CERTIFICATION OF REPRESENTATIVE

Supreme Lobster and Seafood Co., Inc., Villa Park, IL, 13-RC-21698, July 16, 2008

(In the following cases, the Board denied requests for review of Decisions and Directions of Elections (D&DE) and Decisions and Orders (D&O) of Regional Directors)

Express Scripts, Inc., Maryland Heights, MO, 14-RC-12714, July 15, 2008 (Chairman Schaumber and Member Liebman) [amending Regional Director's decision to permit quality control employees to vote under challenge]

Clear Channel Outdoor, Inc., Milwaukee Division, Pewaukee, WI, 30-RD-1498, July 17, 2008 (Chairman Schaumber and Member Liebman)

Tom Branighan, Inc., New Orleans, LA, 15-RD-899, July 17, 2008 (Chairman Schaumber and Member Liebman) [denying also Union's request to stay the election]

Miscellaneous Board Decisions and Orders

ORDER DENYING MOTION FOR RECONSIDERATION

The Hertz Corp., Charlotte, NC, 11-RC-6674, July 18, 2008 (Chairman Schaumber and Member Liebman)

DECISION ON REVIEW [finding that Employer's charge nurses are not statutory supervisors] AND ORDER [remanding case to Regional Director for further appropriate action]

St. Mary Home, West Hartford, CT, 34-RC-2119, July 18, 2008 (Chairman Schaumber and Member Liebman)

ORDER [denying Petitioner's motion to reconsider issuance of Order Vacating Decision and Certification of Representative]

Rehabilitation Institute of Chicago, Chicago, IL, 13-RC-21711, July 18, 2008
